

REMARKS

Claims 12-45 are pending.

The following rejections are set forth in the Office Action.

Claims 12-21, 22-43, 44 and 45 have been rejected for obviousness-type double patenting in view of various claims of U.S. Patent 6,848,961 (*Nomura et al.*).

Claims 22-45 have been rejected for obviousness-type double patenting in view of various claims of *Nomura et al.* in view of U.S. Patent No. 5,591,061 (*Ikeda et al.*)

Claims 12-17, 19, 22, 24-28, and 30 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 13-29 of U.S. Patent No. 6,846,213 (*Sato*).

Claims 20, 21, 23, 31-39, and 41-43 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 13-29 of *Sato* in view of *Ikeda et al.*

Claims 18 and 29 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 13-29 of *Sato* in view of U.S. Patent No. 5,888,864 (*Dvorsky*).

Claim 40 has been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 13-29 of *Sato* in view of *Ikeda et al.* and *Dvorsky*.

Claims 44 and 45 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 13-29 of *Sato* in view of *Ikeda et al.*

Claims 12 has been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Application No. 10/913,542.

Claims 13, 14, 19-25, 30-36, and 41-43 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claim 1 of U.S. Application No. 10/913,542 in view of *Ikeda et al.*

Claims 44 and 45 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claim 1 of U.S. Application No. 10/913,542 in view of *Ikeda et al.*

Claims 15 and 17 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Application No. 10/913,542 in view of *Dvorsky*.

Claims 18, 26, 28, 29, 37, 39 and 40 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claim 1 of U.S. Application No. 10/913,542 in view of *Ikeda et al.* and *Dvorsky*.

Claims 15 and 16 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claim 1 of U.S. Application No. 10/913,542 in view of U.S. Patent No. 4,897,552 (*Okumuki et al.*).

Claims 26, 27, 37 and 38 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claim 1 of U.S. Application No. 10/913,542 in view of *Ikeda et al.* and *Okunuki et al.*

Without conceding the propriety of the rejections set forth in the Office Action, submitted herewith is a Terminal Disclaimer with respect to U.S. Patents 6,848,961 and 6,846,213 and U.S. Application No. 10/913,542. Accordingly, it is believed that the double patenting rejections have been obviated, and their withdrawal is therefore respectfully requested.

The Director is hereby authorized to charge the \$130.00 fee associated with recording the Terminal Disclaimer under 37 C.F.R. §1.20(d) to Deposit Account No. 50-3939. Please charge any additional fee that may be required in connection therewith, and credit any overpayment, to Deposit Account No. 50-3939.

In view of the Applicants' compliance with 37 C.F.R. §1.321(b), it is respectfully requested that the application be allowed and brought to issue at an early date.

Applicants' undersigned attorney may be reached in our New York office by

telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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